

Nicholas M. M. Drum, OSB #063167
Dayna J. Christian, OSB #973360
Immix Law Group PC
600 NW Naito Parkway, Suite G
Portland, Oregon 97209
Phone: (503) 802-5533
E-Mail: nick.drum@immixlaw.com
E-Mail: dayna.christian@immixlaw.com

Attorneys for Plaintiff Billups, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

BILLUPS, INC., an Oregon corporation,
Plaintiff,

v.

AMBASSADOR TECHNOLOGIES, INC. dba
BYPROXIE, a foreign corporation;
HOMETOWN HEART, a foreign corporation;
EAZE TECHNOLOGIES INC., a foreign
corporation; and HERBAN INDUSTRIES CA
LLC, a foreign limited liability company,
Defendants.

Case No.: 3:20-CV-00891

**PLAINTIFF BILLUPS, INC.'S
CONSENTED MOTION FOR
EXTENSION OF TIME TO FILE
RESPONSE TO DEFENDANTS EAZE
TECHNOLOGIES INC. AND
HOMETOWN HEART'S MOTION TO
DISMISS THE FIRST AMENDED
COMPLAINT**

UNOPPOSED

LOCAL RULE 7-1 CERTIFICATION

Pursuant to Local Rule ("LR") 7-1, counsel for Plaintiff Billups, Inc. ("Plaintiff") certifies that prior to filing this Consented Motion for Extension of Time to File Response to Defendants Eaze Technologies Inc. and Hometown Heart's Motion to Dismiss the First Amended Complaint ("Motion"), counsel made a good faith effort to confer with counsel for

Defendants Eaze Technologies Inc. (“Eaze”) and Hometown Heart (“HTH”). Those good faith conferrals resulted in the agreement that underlies this consented Motion.

MOTION

Pursuant to LR 29-1(b), Plaintiff hereby moves the Court for an extension of time in which to respond to Defendants Eaze and HTH’s Motion to Dismiss the First Amended Complaint (the “Motion to Dismiss”), which was filed and served on October 19, 2020.

Pursuant to LR 7-1(e)(1), Plaintiff’s response to the Motion to Dismiss is due on November 2, 2020. Plaintiff respectfully requests an extension to December 4, 2020 in which to file and serve its’ response to the Motion to Dismiss. The requested extension is necessary because Plaintiff’s counsel has multiple pre-trial deadlines, briefing due dates, and a one-week arbitration hearing in another matter between the date on which the Motion to Dismiss was filed and the requested December 4, 2020 due date. This Motion is not made for purposes of delay.

This Motion is made on consent, and neither Eaze nor HTH opposes the requested extension. Defendants Ambassador Technologies, Inc., and Herban Industries CA LLC have not yet entered an appearance; accordingly, their position on this Motion is unknown.

CONCLUSION

Good cause exists to grant Plaintiff’s Motion requesting an extension through December 4, 2020 in which to respond to the Motion to Dismiss. Further, this extension is consented to by all parties that have appeared in this case. Accordingly, Plaintiff respectfully requests that this consented Motion be granted.

DATED this 29th day of October 2020.

IMMIX LAW GROUP PC

By: 
Nicholas M. M. Drum, OSB #063167
Dayna J. Christian, OSB #973360
E-Mail: nick.drum@immixlaw.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2020 I served a true copy of the foregoing **PLAINTIFF BILLUPS, INC.'S CONSENTED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO DEFENDANTS EAZE TECHNOLOGIES, INC. AND HOMETOWN HEART'S MOTION TO DISMISS THE FIRST AMENDED COMPLAINT** on the individuals listed below, by way of the method indicated:

Steven C. Berman
Lydia Anderson-Dana
Stoll Stoll Berne Lokting & Shlachter P.C.
209 SW Oak Street, Suite 500
Portland, OR 97204
(503) 277-1600
sberman@stollberne.com
landersondana@stollberne.com

Via E-Mail

Paul Llewellyn (admitted *pro hac vice*)
Evangeline A.Z. Burbidge (admitted *pro hac vice*)
Amy Kashiwabara (admitted *pro hac vice*)
Lewis & Llewellyn, LLP
601 Montgomery Street, Suite 2000
San Francisco, CA 94111
(415) 800-0592
PLlewellyn@lewisllewellyn.com
eburbidge@lewisllewellyn.com
akashiwabara@lewisllewellyn.com

Via E-Mail

Attorneys for Defendants Hometown Heart and Eaze Technologies, Inc.

IMMIX LAW GROUP PC



Nicholas M. M. Drum, OSB No. 063167
Dayna J. Christian, OSB No. 973360
Immixon Law Group PC
600 NW Naito Parkway, Suite G
Portland, Oregon 97209
Phone: (503) 802-5533
E-Mail: dayna.christian@immixonlaw.com
E-Mail: nick.drum@immixonlaw.com
Attorneys for Plaintiff